

UTILITY PATENT APPLICATION TRANSMITTAL

(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
FIS920030042US2 (16279A)Total Pages in this Submission
4**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

COLLAR FORMATION USING SELECTIVE SiGe/Si ETCH

and invented by:

Naim MoumenIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/250,046

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 18 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 9
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☒ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EV244124684US

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Accompanying Application Parts (Continued)

17. ☒ Additional Enclosures *(please identify below)*:

ASSIGNEE NAME: INTERNATIONAL BUSINESS MACHINES CORPORATION
ASSIGNEE ADDRESS: ARMONK, NEW YORK

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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(19) CORRESPONDENCE ADDRESS
CUSTOMER NUMBER 23389


Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	7	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	1	- 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$770.00


- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 09-0458/IBM as described below.
- ☒ Charge the amount of \$770.00 as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: February 2, 2004



Signature
Leslie S. Szivos, Ph.D.
Registration No. 39,394
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Naim Moumen			Docket No. FIS920030042US2 (16279A)
Serial No. To be assigned	Filing Date Herewith	Examiner Unassigned	Group Art Unit Unassigned
Invention: COLLAR FORMATION USING SELECTIVE SiGe/Si ETCH			
<p>I hereby certify that this <u>NEW DIVISIONAL PATENT APPLICATION</u> <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>February 2, 2004</u> <i>(Date)</i></p> <p><u>Leslie S. Szivos, Ph.D.</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <p><u></u> <i>(Signature of Person Mailing Correspondence)</i></p> <p><u>EV244124684US</u> <i>("Express Mail" Mailing Label Number)</i></p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Naim Moumen

Examiner: Unassigned

Serial No.: To be assigned

Art Unit: Unassigned

Filed: Herewith

Docket: FIS920030042US2 (16279A)

For: COLLAR FORMATION USING
SELECTIVE SiGe/Si ETCH

Dated: February 2, 2004

Commissioner for Patents
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. § 1.48(B)(1) REQUESTING
INVENTORSHIP CORRECTION**

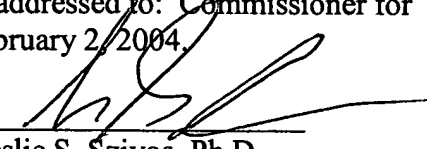
Sir:

In connection with filing a divisional application of U.S. Serial No. 10/250,046, filed May 30, 2003, wherein a Preliminary Amendment is being filed canceling original Claims 1-13, applicants hereby request that Jochen Beitner and Porshia Wrschka be deleted as inventors in the divisional application. Thus, Naim Moumen is the sole inventor in the divisional application since neither Jochen Beitner nor Porshia Wrschka has an invention that is claimed in the divisional application.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on February 2, 2004.

Dated: February 2, 2004


Leslie S. Szivos, Ph.D.

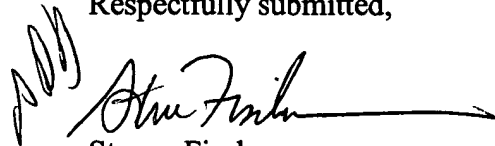
03/04/2004 FFAHAEIA 00000076 090458 10770278
01 FC:1460 130.00 DA



User name is not in the listed 7031306-3338

This Amendment is signed by a party set forth in 37 C.F.R. § 1.33(b); and authorization is hereby given to charge applicants' Deposit Acct. No. 09-0455/IBM in the amount of \$ 130.00, as required under 37 CFR 1.117(i). A duplicate copy of this submission is enclosed.

Respectfully submitted,



Steven Fischman

Registration No. 34,594

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SF:LSS/sf